

**RECEIVED  
CENTRAL FAX CENTER****PATENT****OCT 13 2004****RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED  
PROCEDURE - EXAMINING GROUP 1651****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 09/915,997  
Applicant(s): Petersen *et al.*  
Filed: July 26, 2001  
Art Unit: 1651  
Examiner: Witz, Jean C.  
Title: BONE GRAFT SUBSTITUTE COMPOSITION

Confirmation No.: 1532

Docket No.: 048057/275987  
Customer No.: 00826

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


**NOTICE OF APPEAL TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated July 13, 2004, rejecting the following Claims 43-68.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☐ Applicant claims small entity Status.
- ☐ A check is enclosed.  
(\$340.00 for large entity fee or \$170.00 if small entity status)
- ☒ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- ☒ Any additional fee or refund may be charged to our  
Deposit Account No. 16-0605.
- ☐ A petition for an extension of time under 37 CFR § 1.134 is enclosed.

Respectfully submitted,

  
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In re: Petersen *et al.*


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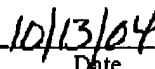
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## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office  
at Fax No. (703) 872-9306 on the date shown below.



Tracey S. Wright



Date